

§ 90.05-1

U.S.C. 3501 *et seq.*). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f), which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 91.27-13	2115-0517
§ 91.40-3	2115-0554
§ 91.40-5	2115-0554
§ 97.15-7	2115-0589
§ 97.15-17	2115-0589

[CGD 88-072, 53 FR 34297, Sept. 6, 1988, as amended by CGD 82-004a, 55 FR 2525, Jan. 25, 1990; CGD 89-037, 57 FR 41822, Sept. 11, 1992]

Subpart 90.05—Application

§ 90.05-1 Vessels subject to requirements of this subchapter.

(a) This subchapter shall be applicable to all United States flag vessels indicated in Column 5 of Table 90.05-1(a) and to all such foreign vessels which carry 12 or less passengers from any port in the United States to the extent prescribed by law, except as follows:

46 CFR Ch. I (10-1-98 Edition)

(1) Any vessel of a foreign nation signatory to the International Convention for Safety of Life at Sea, 1974, and which has on board a current, valid safety equipment certificate.

(2) Any vessel operating exclusively on inland waters which are not navigable waters of the United States.

(3) Any vessel while laid up and dismantled and out of commission.

(4) With the exception of vessels of the U.S. Maritime Administration, any vessel with title vested in the United States and which is used for public purposes.

(b) Notwithstanding the exception previously noted in paragraph (a)(1) of this section, foreign vessels of novel design or construction or whose operation involves potential unusual risks shall be subject to inspection to the extent necessary to safeguard life and property in United States ports, as further provided by § 2.01-13 of subchapter A (Procedures Applicable to the Public) of this chapter.

(c) Notwithstanding the exception noted in paragraph (a)(1) of this section, each foreign vessel shall report marine casualties occurring while the vessel is in the navigable waters of the United States as required by Subpart 97.07.

TABLE 90.05-1(A)
[See footnotes at end of table]

Method of propulsion	Size or other limitations ¹	Classes of vessels (including motorboats) examined or inspected under various Coast Guard regulations ¹	Vessels subject to provisions of Subchapter H—Passenger Vessel ² or Subchapter T—Small Passenger Vessel ^{2,3,4}	Vessels inspected and certified under either Subchapter D—Tank Vessel ²	Vessels inspected and certified under either Subchapter H—Passenger Vessel ^{2,3,4,5} or Subchapter T—Small Passenger Vessel ^{2,3,4}	Vessels subject to provisions of Subchapter C—Uninspected Vessels ^{2,6,7,8}	Vessels subject to provisions of Subchapter U—Oceanographic Vessels ^{2,6,7,9}	Vessels subject to the provisions of Subchapter O—Certain Bulk Dangerous Cargoes ¹⁰
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	
Steam	Vessels not over 65 feet in length.	All vessels carrying combustible or flammable liquid cargo in bulk.	All vessels carrying more than 6 passengers ⁷ .	All tugboats and towboats.	All vessels except those covered by columns 3, 4, 5, and 7.	None	All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.	
	Vessels over 65 feet in length.	All vessels carrying combustible or flammable liquid cargo in bulk ⁵ .	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All vessels of not over 15 gross tons which carry more than 6 passengers ⁷ . 3. All other vessels carrying passengers, ⁷ except: a. Yachts b. Documented cargo or tank vessels	1. All vessels except those covered by columns 3 and 4. 2. All vessels of not over 15 gross tons which carry more than 6 passengers ⁷ . 3. All other vessels carrying passengers, ⁷ except: a. Yachts b. Documented cargo or tank vessels	None	All vessels engaged in oceanographic research. Do.		

§ 90.05-1

46 CFR Ch. I (10-1-98 Edition)

TABLE 90.05-1(a)—Continued
[See footnotes at end of table]

Method of propulsion	Size or other limitations ¹	Classes of vessels (including motorboats) examined or inspected under various Coast Guard regulations ¹	Vessels subject to provisions of Subchapter H—Passenger Vessels ² or Subchapter T—Small Passenger Vessels ^{2,3}	Vessels inspected and certified under either Subchapter H—Passenger Vessels ^{2,3,4,5} or Subchapter T—Small Passenger Vessels ^{2,3,4}	Vessels subject to provisions of Subchapter C—Uninspected Vessels ^{2,6,7,8}	Vessels subject to provisions of Subchapter U—Oceanographic Vessels ^{2,6,7,9}	Vessels subject to the provisions of Subchapter O—Certain Bulk Dangerous Cargoes ¹⁰
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Motor	Vessels not over 15 gross tons.	All vessels carrying combustible or flammable liquid cargo in bulk.	All vessels carrying more than 6 passengers.	Those vessels carrying dangerous cargoes when required by 46 CFR part 98 or 49 CFR parts 171-179.	All vessels except those covered by columns 3, 4, 5, and 7.	None	All vessels carrying in bulk the cargoes listed in table I of pt. 153 and table 4 of pt. 154.
	Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over.	All vessels carrying combustible or flammable liquid cargo in bulk.	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All vessels not over 65 feet in length which carry more than 6 passengers.	All vessels carrying freight for hire except those covered by columns 3 and 4.dodo	Do.	

		3. All other vessels of over 65 feet in length carrying passengers for hire except documented cargo or tank vessels issued a permit to carry not more than 16 persons in addition to the crew		
		All vessels carrying combustible or flammable liquid cargo in bulk ⁵ .	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All other other vessels carrying passengers, ⁷ except: a. Yachts b. Documented cargo or tank vessels issued a permit to carry not more than 16 persons in addition to the crew.	All vessels except those covered by columns 3 and 4, and those engaged in the fishing, oysterling, clamming, crabbing, or any other branch of the fishery, kelp, or sponge industry. Those vessels carrying dangerous cargoes when required by 46 CFR part 38 or 49 CFR parts 171-179.
Sail	Vessels not over 700 gross tons.	All vessels carrying combustible or flammable liquid cargo in bulk.	All vessels carrying more than 6 passengers.	None
Vessels over 700 gross tons.do	All vessels carrying passengers for hire.do	None
Non-self propelled ...	Vessels less than 100 gross tons.	All vessels carrying combustible or liquid cargo in bulk.	All vessels carrying more than 6 passengers ⁷ .	All barges carrying passengers except those covered by column 4.
				All tank barges ¹¹ carrying in bulk the cargoes listed in table 151.05 of this chapter. ¹¹

§ 90.05–1

46 CFR Ch. I (10–1–98 Edition)

TABLE 90.05–1(a)—Continued
[See footnotes at end of table]

Method of propulsion	Size or other limitations ¹	Classes of vessels (including motorboats) examined or inspected under various Coast Guard regulations ¹					
		Column 1	Column 2	Vessels inspected and certified under either Sub-chapter H—Passenger Vessels ^{2,3,4} or Subchapter T—Small Passenger Vessels ^{2,3,4}	Vessels inspected and certified under Sub-chapter D—Tank Vessels ²	Vessels, inspected and certificated under chapter C—Cargo and Miscellaneous Vessels ^{2,5}	Vessels subject to provisions of Sub-chapter O—Certain Bulk Dangerous Cargoes ⁸
Column 3	Column 4	Column 5	Column 6	Column 7	Column 8		
Vessels 100 gross tons or over.	All vessels carrying combustible or flammable liquid cargo in bulk.	All vessels carrying passengers for hire.	All seagoing barges except those covered by columns 3 and 4; and those inland barges carrying dangerous cargoes when required by 46 CFR part 38 or 49 CFR parts 171–179.	All barges carrying passengers except those covered by columns 4 and 7.	All seagoing barges engaged in oceanographic research.	All tank barges ¹¹ carrying in bulk the cargoes listed in table 151.05 of this chapter. ¹¹	

Footnotes to Table 90.05–1(a):

¹ Where length is used in this table it means the length measured from end to end over the deck, excluding sheer. This expression means a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel parallel to the centerline.

² Subchapters E (Load Lines), F (Marine Engineering), J (Electrical Engineering), and N (Dangerous Cargoes) of this chapter may also be applicable under certain conditions. The provisions of 49 CFR parts 171–179 apply whenever hazardous materials are on board vessels (including motorboats), except when specifically exempted by law.

³ Public nautical schoolships, other than vessels of the Navy and Coast Guard, shall meet the requirements of part 167 of subchapter R (Nautical Schools) of this chapter. Civilian nautical schoolships, as defined by 46 U.S.C. 1331, shall meet the requirements of subchapter H (Passenger Vessels) and part 168 of subchapter R (Nautical Schools) of this chapter.

⁴ Subchapter H (Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

⁵ Vessels covered by subchapter H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter, where the principal purpose or use of the vessel is not for the carriage of liquid cargo, may be granted a permit to carry a limited amount of flammable or combustible liquid cargo in bulk. The portion of the vessel used for the carriage of the flammable or combustible liquid cargo shall meet the requirements of subchapter D (Tank Vessels) in addition to the requirements of subchapter H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter.

⁶ Any vessel on an international voyage is subject to the requirements of the International Convention for Safety of Life at Sea, 1974.

⁷ The meaning of the term "passenger" is as defined in the Act of May 10, 1966 (Sec. 1, 70 Stat. 151; 46 U.S.C. 30). On oceanographic vessels scientific personnel on board shall not be deemed to be passengers, but for calculations of lifesaving equipment, etc., shall be counted as persons.

⁸ Under 46 U.S.C. 441 an "oceanographic research vessel" is a vessel ** * being employed exclusively in instruction in oceanography or limnology, or both, or exclusively in oceanographic research. ** * Under 46 U.S.C. 443, "an oceanographic research vessel shall not be deemed to be engaged in trade or commerce," if or when an oceanographic vessel engages in trade or commerce, such vessel cannot operate under its certificate of inspection as an oceanographic vessel, but shall be inspected and certified for the service in which engaged, and the scientific personnel aboard then become persons employed in the business of the vessel.

¹⁰ Bulk dangerous cargoes are cargoes specified in table 151.01–10(b), in table 1 of part 153, and in table 4 of part 154 of this chapter.

¹¹ For manned tank barges see § 151.01–10(c) of this chapter.

[CGFR 65–50, 30 FR 16970, Dec. 30, 1965, as amended by CGFR 67–83, 33 FR 1109, Jan. 27, 1968; CGFR 70–10, 35 FR 3711, Feb. 25, 1970; CGD 73–96, 42 FR 49025, Sept. 26, 1977; CGD 77–402, 42 FR 63643, Dec. 19, 1977; CGD 86–033, 53 FR 36025, Sept. 16, 1988; CGD 86–033, 53 FR 40871, Nov. 21, 1988; CGD 90–008, 55 FR 30861, July 26, 1990]